

Superior Court of Washington, County of

Juvenile Court

STATE OF WASHINGTON v.

Respondent(s).

D.O.B.:

No:

**Statement of Juvenile for
Deferred Disposition
(STJDD)**

- 1.1 STIPULATION OF JUVENILE: Pursuant to RCW 13.40.127, I wish to take advantage of the opportunity to have the disposition of my case deferred by the court. I understand:
- (a) I stipulate to the admissibility of the facts contained in the written police reports.
 - (b) The police reports will be entered and used by the judge to support a finding of guilt to the offenses of: _____
 - (c) The finding of guilty will be used to impose a disposition on me if I fail to comply with the terms of my supervision.

 - (d) I have the right to be represented by a lawyer at all stages of the proceedings against me. If I cannot afford to pay for a lawyer, one will be provided for me at public expense.
 - (e) I am giving up my constitutional right to a trial. At a trial, I would have the following rights:
 - (i) to have my case heard within 30/60 days of my arraignment;
 - (ii) to hear and question witnesses who might be called to testify against me;
 - (iii) to call witnesses to testify for me who could be required to appear, at no expense to me;
 - (iv) to testify or to exercise my right not to testify; and
 - (v) to be presumed innocent until all of the elements of the offense(s) I am charged with is/are proven beyond a reasonable doubt.

- (f) I am giving up my right to have a disposition of my case within 14/21 days of an adjudication of guilt.
- (g) I am giving up my right to appeal any finding of guilt based upon sufficiency of the evidence.
- (h) If the court grants my Motion for Deferred Disposition, the maximum punishment I can receive is 12 months of community supervision and 150 hours of community service work, no matter what the prosecutor or my lawyer recommends. The court will impose any condition of supervision it deems appropriate, including payment of restitution, as provided in RCW 13.40.190.
- (i) The court may extend my supervision for up to an additional 12 months for good cause.
- (j) The court may require me to post a probation bond.
- (k) Upon full compliance with all conditions of my community supervision, the court shall vacate the conviction(s) and dismiss the charge(s) against me with prejudice.

1.2 STANDARD RANGE SENTENCE: I understand that if I do not comply with any of the terms of my community supervision, the court will revoke the deferred disposition and shall enter an Order of Disposition, after which the court may impose any sentence authorized by law, including the following (check applicable):

☐ OFFENSES SUBJECT TO LOCAL SANCTIONS: I am stipulating to 1 or more offenses which carry a standard range of local sanctions, in the event my deferred disposition is revoked. Local sanctions are as follows:

- 0 to 12 months of community supervision
- 0 to 150 hours of community restitution (community service)
- 0 to a \$500 fine
- 0 to 30 days of detention
- Payment of restitution

☐ OFFENSES WITH A STANDARD RANGE DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES JUVENILE REHABILITATION (DCYFJR) SENTENCE: I am stipulating to 1 or more of the following offenses which carry a standard range commitment to the DCYFJR for placement in a rehabilitation facility in the event my deferred disposition is revoked:

- 103 to 129 week commitment to DCYFJR for the following offenses:
 - Possession of Incendiary Device; or,
 - BAIL JUMP from a charge of Murder in the First Degree.
- 15 to 36 week commitment to DCYFJR for the following offenses:
 - Delivery of a Narcotic Drug or Methamphetamine (or attempt/ conspiracy/solicitation);
 - Attempt, Conspiracy, or Solicitation to commit Possession of Incendiary Device;

- Intimidating a Public Servant or Witness;
- Promoting Prostitution First Degree;
- Hit and Run with Death;
- Felony DUI or Physical Control; or,
- BAIL JUMP from any of the following offenses: Murder Second Degree, Assault First Degree, Arson First Degree, Kidnapping First Degree, Robbery First Degree, Rape First Degree, Rape Second Degree, Rape of a Child First Degree, Child Molestation First Degree, Possession of Incendiary Device, Delivery of Narcotic Drug or Methamphetamine, and/or any "Other Class A Felony" under RCW 13.40.0357.

The maximum possible punishment that can be imposed by Juvenile Court is _____ years or commitment to DCYFJR to age 21, whichever is less.

- 1.3 COUNTS AS CRIMINAL HISTORY: The judge's acceptance of my motion for deferred disposition and the resulting conviction will become part of my criminal history, and will remain part of my criminal history even when I become an adult, unless and until I successfully complete my deferred disposition, the conviction is vacated, and the charge(s) against me are dismissed. My criminal history can affect my ability to remain in the Juvenile Justice System should I re-offend and it would be considered for sentencing on any future offenses I may commit as a juvenile or adult.
- 1.4 GROUNDS FOR DEPORTATION: If I am not a citizen of the United States, the court's finding of guilt herein to an offense punishable as a crime under state law may be grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
- 1.5 NOTIFICATION OF DIRECT CONSEQUENCES: If any of the following paragraphs do not apply, they should be stricken and initialed by the juvenile and judge:
- (a) SUSPENSION/REVOCAION OF DRIVING PRIVILEGE: I have been informed that the Department of Licensing will be notified and my privilege to drive will be suspended or revoked:

Over 13 & Alcohol, Drugs, UPFA <18, or Armed with F/A (not first offense): (1) If the court finds me guilty of 1 of the following offenses and I was 13 years or older at the time I committed the offense: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA < 18 RCW 9.41.040(2)(a)(vi); and/or, an offense while Armed with a Firearm RCW 13.40.196; AND (2) I have a prior offense for the same offense. See, RCW 13.40.265.

UPFA or Armed During Offense In Which Vehicle Used (with priors): (1) If the court finds me guilty of 1 of the following offenses: UPFA 1 or 2 under RCW 9.41.040; and/or an offense while Armed with a Firearm RCW 13.40.196 during which the court found a motor vehicle served an integral function during the offense; AND (2) I previously committed 1 or more of the following offenses: Alcohol under RCW 66.44; VUCSA under RCW 69.50; Legend drug under RCW 69.41; Imitation drugs under RCW 69.52; UPFA under RCW 9.41.040; and/or an offense while Armed with a Firearm RCW 13.40.196. See RCW 9.41.040(5).

Certain Motor Vehicle Offenses – If the court finds me guilty of 1 of the following offenses: DUI; Physical Control; DWLS 1&2; Vehicular Assault/Homicide; Hit & Run Attended; Reckless Driving; any felony offense where a vehicle was used in a manner that endangered persons or property (except TMVWOP2 where the court finds I was a passenger only in committing the offense); False Statements under RCW 46; Felony Elude; Unattended Child in Running Vehicle (2nd or subsequent conviction); Reckless Endangerment of Road Workers; and/or Theft of Motor Vehicle Fuel. See, RCW 46.20.285, 46.61.5055(9), 46.20.342(2), 46.61.524, 46.52.020(6), 46.61.500(2), 46.61.024(3), 46.61.685(2), 46.61.527(5), 46.61.740(2), and 46.20.270.

- (b) **OFFENDER REGISTRATION FOR SEX OFFENSE OR KIDNAPPING OFFENSE:** I have been informed that if the court finds me guilty of a kidnapping offense as defined in RCW 9A.44.128 [Attempted Second Degree Kidnapping, Unlawful Imprisonment, or any anticipatory form of those crimes], or any unlawful transmission of HIV to a child or vulnerable adult under chapter 70.24 RCW, I will be required to register as an offender where I reside, study, or work. The specific registration requirements are set forth in the “Offender Registration” attachment.
- (c) **DNA TESTING:** Pursuant to RCW 43.43.754, I have been informed that if the court finds me guilty of a felony, or an offense which requires kidnapping offender registration [Attempted Second Degree Kidnapping, Unlawful Imprisonment, or any anticipatory form of those crimes], or any of the following offenses: Stalking, Harassment, Assault in the Fourth Degree with Sexual Motivation, Custodial Sexual Misconduct in the Second Degree, Failure to Register as a Sex or Kidnapping Offender, Patronizing a Prostitute, Indecent Exposure, or Violation of a Sexual Assault Protection Order, I will be required to have a biological sample collected for purposes of DNA identification analysis. This paragraph does not apply if it is established that the Washington State Patrol crime laboratory already has a sample from me for a qualifying offense.
- (d) **\$100 CVC FEE FOR MOST SERIOUS OFFENSE:** I have been informed that if the court finds me guilty of a most serious offense, as defined by RCW 9.94A.030, I will be required to pay a mandatory Crime Victim’s Compensation Fee of \$100. RCW 7.68.035.
- (e) **SCHOOL NOTIFICATION:** I understand that if 1 or more of the offenses for which I am pleading guilty is an offense under chapter 9.41 RCW (firearms/weapons); or unlawful possession or delivery, or both, of a controlled substance in violation of chapter 69.50 RCW; then, following my adjudication of guilt, the court will provide written notification of the adjudication to any school in which I was enrolled prior to adjudication, or in which I express an intent to enroll following adjudication, unless: (1) I have already received a high school diploma or its equivalent; or, (2) I am over the age of 18 and my enrollment information cannot be obtained or I assert no intention of enrolling in any educational program.
- (f) **RIGHT TO POSSESS FIREARMS:** [JUDGE MUST READ THE FOLLOWING TO THE OFFENDER]: I have been informed that if the court finds me guilty of any offense classified as: (1) a felony; or, (2) any of the following crimes when

committed by 1 family or household member against another or by 1 intimate partner against another: assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence; or, (3) Harassment committed by 1 family or household member against another or by 1 intimate partner against another, committed on or after June 7, 2018; I may not possess, own, or have under my control any firearm, and under federal law any firearm or ammunition, unless my right to do so has been restored by the court in which I am adjudicated, or the superior court in Washington state where I live, and by a federal court if required.

- (g) **UNLAWFUL POSSESSION OF A FIREARM IN THE 1ST OR 2ND DEGREE:**
I understand that if the court finds me guilty of Unlawful Possession of a Firearm in the 1st or 2nd degree, I must participate in a “qualifying program” unless there is no such program available or the court makes a written finding based on the juvenile court risk assessment that participation in the program would not be appropriate. A qualifying program means an aggression replacement training program, a functional family therapy program, or another cost-beneficial, evidence or research-based approved program applicable to the juvenile firearm offender population.
- (h) **FELONY FIREARM REGISTRATION:** I am subject to court-ordered felony firearm offender registration, pursuant to RCW 9.41.330. The specific registration requirements are found in the “Felony Firearm Offender Registration” attachment.

1.6 **PROSECUTOR RECOMMENDATION:** The prosecutor has promised to take the following action and/or make the following recommendations:

_____ months of community supervision.

_____ hours of community restitution (community service).

\$_____ fine.

Payment of restitution to (if any): _____

Other recommendations:

1.7 No one has made any threats or promises to get me to submit this case for a deferred disposition, other than the above promises or recommendations by the prosecutor.

1.8 I have read, or have had read to me, the foregoing statement; I understand the requirements of a deferred disposition; and I have no questions of the court.

Dated: _____

Respondent

Presented by:

Approved as to form:

Attorney for Respondent

Attorney for Plaintiff

Type or Print Name/Bar Number

Type or Print Name/Bar Number